

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**SPECIAL PROCESSING SUBMISSION
EXPEDITED HANDLING PROCEDURES**

In re Patent Application of

Atty Dkt. 555-63

C# M#

SCHREIBER et al

TC/A.U. 1645

Serial No. 09/989,298

Examiner: Zeman, R.

Filed: November 21, 2001

Date: December 12, 2005

Title: TRIPEPTIDE OF FCGAMMARIIA

FAX RECEIVED**DEC 12 2005****OFFICE OF PETITIONS****Mall Stop 313(c)**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313(c)(2)

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$
\$130.00 (1814)/\$65.00 (2814) \$

Terminal disclaimer enclosed, add

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee

\$180.00 (1806) \$

Assignment Recording Fee

\$40.00 (8021) \$

Other: Petitioner Fee Under 37 CFR 1.17(h) (Code 1464)

\$ 130.00

TOTAL FEE (CREDIT CARD PAYMENT FORM ATTACHED) \$ 130.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
MJW:lat

NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

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If proper multiple dependent claims now added for first time, (ignore improper); add

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) \$360.00 (1051)/\$180.00 (2051) \$

One Month Extension \$120.00 (1251)/\$60.00 (2251)

Two Month Extensions \$450.00 (1252)/\$225.00 (2252)

Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)

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\$ 130.00

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NIXON & VANDERHYE P.C.

By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Allowed: April 8, 2005

SCHREIBER et al

Atty. Ref.: 555-63; Confirmation No. 9500

Appl. No. 09/989,298

TC/A.U. 1645

Filed: November 21, 2001

Examiner: Zeman, R.

For: TRIPEPTIDE OF PCGAMMARIIA

FAX RECEIVED

* * * * *

DEC 12 2005

December 12, 2005 **OFFICE OF PETITIONS**

Mail Stop 313(c) – **Special Processing Submission**
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313(c)(2)

It is hereby requested that the above-identified application be withdrawn from issue, the Issue Fee having been paid on July 8, 2005. Withdrawal is necessary so that the request for continued examination (RCE) in compliance with 37 CFR 1.114, and accompanying Information Disclosure Statement, both of which are submitted concurrently herewith, can be considered. It is submitted that providing an opportunity for the document referenced in the Information Disclosure Statement to be made of record constitutes good and sufficient reason why withdrawal of this application from issue is necessary.

The Petition and attached associated papers are being filed by facsimile pursuant to List II (No. 11) of the "Updated Lists of Exceptions to the Centralized Delivery and Facsimile Transmission Policy for Patent Related Correspondence" dated September 19, 2005, by Joseph J. Rolla, Deputy Commissioner for Patent Policy, and available through the Patent Office web site

SCHREIBER et al
Appl. No. 09/989,298
December 12, 2005

at the following address: <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/cfaxexceptions091905.pdf>.

Favorable consideration and grant of the present Petition, preferably by return facsimile to the undersigned at 703-816-4100, are requested.

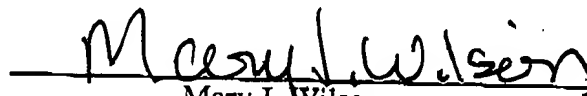
The fee required under 37 CFR 1.17(h) is submitted herewith.

It is respectfully requested that this Petition be granted.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Mary J. Wilson
Reg. No. 32,955

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